

PATENT
ATTORNEY DOCKET NO.: 030793-052100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)

Ronald W. MINK et al.)

Application No.: 09/973,956)

Filed: October 11, 2001)

For: DEVICE FOR COLLECTION AND)
ASSAY OF ORAL FLUIDS)

Group Art Unit: 1723

Examiner: D. SORKIN

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SECOND PROPOSED AMENDMENT UNDER 37 C.F.R. § 1.312

In response to the Decision on Petition mailed May, 28, 2004, Applicants submit the following proposed amendment to the specification. This Second Proposed Amendment Under 37 C.F.R. § 1.312 is being filed to correct the CROSS-REFERENCE TO RELATED APPLICATIONS filed in the Proposed Amendment Under 37 C.F.R. § 1.312 filed February 19, 2002. Applicants also paid the Issue Fee and Publication Fee on February 19, 2004. A renewed Petition for Acceptance of Late Claiming of Priority accompanies this proposed amendment. Applicants respectfully request entry of the proposed amendment. Please amend the application as indicated below.

Amendments to the Specification begin on page 2 of this paper.


Remarks begin on page 3 of this paper.

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/973,956	
	Filing Date	October 11, 2001	
	First Named Inventor	Ronald W. MINK	
	Group Art Unit	1723	
	Examiner Name	D. Sorkin	
Total Number of Pages in This Submission	8	Attorney Docket Number	030793/052100

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavit/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Applicable) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures <input type="checkbox"/> A self-addressed prepaid postcard for acknowledging receipt <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Renewed Petition, Under 37 C.F.R. § 1.78 for the Acceptance of a Late Claim for Priority 2. Second Proposed Amendment Under 37 C.F.R. § 1.312
Remarks	<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or individual name Jeffrey A. Lindeman, Reg. No. 34,658 Nixon Penbody LLP 401 9th Street, N.W. Suite 900 Washington, D.C. 20004-2128	
Signature	
Date	June 2, 2004

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]	
I hereby certify that this correspondence is being:	
<input type="checkbox"/> deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop _____, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450	
<input checked="" type="checkbox"/> transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.	
June 2, 2004 Date	 Signature Phoebe M. Jones Typed or printed name